

Application No. 10/689,391
Amendment dated January 24, 2005
Reply to Office Action of November 4, 2005

REMARKS

Claims 1-23 were pending in the application. By this Amendment, new claims 24 and 25 are added. The status of the claims is as follows:

Claims 3-10 and 13-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1, 2, 11, 12, 22, and 23 are rejected under 35 U.S.C. § 102(a) as being clearly anticipated by U.S. Patent No. 6,322,219 B1 to Okamori et al. ("Okamori").

Claim 21 is rejected under 35 U.S.C. § 103(a) as being unpatentable over the Okamori patent in view of U.S. Patent No. 6,626,542 B2 to Baba et al. ("Baba").

Claims 2 and 12 have been amended to change their dependencies from claims 1 and 11, respectively, to claims 3 and 13, respectively. These changes do not introduce any new matter.

Certified copies of the priority documents, Japanese Patent Application Nos. 2002-300791 and 2002-300800, both filed on October 15, 2002, are enclosed herewith.

The objection to claims 3-10 and 13-20 as being dependent upon a rejected base claim, but allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, is noted with appreciation.

Claims 3 and 13 have been rewritten in independent form including all but one of the limitations of claims 1 and 11, respectively. These changes do not introduce any new matter.

Accordingly, it is respectfully requested that the objection to claims 3-10 and 13-20 as being dependent upon a rejected base claim, but allowable if rewritten in

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independent form, be reconsidered and withdrawn. Furthermore, claims 2 and 12 have been amended to depend from claims 3 and 13, respectively. For this reason, claims 2 and 12 are likewise considered allowable.

35 U.S.C. § 102(a) Rejection

The rejection of claims 1, 2, 11, 12, 22, and 23 under 35 U.S.C. § 102(a) as being anticipated by Okamori, is respectfully traversed based on the following.

Claim 1 includes the limitation “wherein, in the reflection optical system, every surface having an optical power is a reflective surface.”

In contrast, Okamori, at column 5, line 65 through column 6, line 2, discloses that the lens 4 forms “an image of the output end face 32 of the mixing rod 3 on a virtual plane-to-be-illuminated.” Thus, Okamori discloses a lens 4, a refractive element having optical power. Claim 1 includes the limitation that all surfaces in the reflection optical system having optical power are reflective, therefore Okamori fails to disclose at least this limitation of claim 1. As Okamori fails to disclose at least one limitation of claim 1, Okamori cannot anticipate claim 1. As claim 2 has been amended to depend from claim 3, its rejection due to its dependence upon claim 1 is rendered moot.

In like manner, claim 11 includes the limitation “wherein, in the reflection optical system, every surface having an optical power is a reflective surface.”

Okamori fails to disclose at least one limitation of claim 11. As above, Okamori fails to disclose a system in which each element having optical power in a reflection optical system is a reflective surface. Thus, Okamori cannot anticipate claim 11 for at least this reason.

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Claim 12 has been amended to depend from claim 13, thus its rejection due to its dependence upon claim 11 is rendered moot. Claim 22 depends from unanticipated claim 11 and thus is unanticipated for at least the same reasons.

Claim 23 includes the limitation "wherein, every surface having an optical power is a reflective surface." As Okamori fails to disclose a system in which each element having optical power in a reflection optical system is a reflective surface, Okamori cannot anticipate claim 23.

Accordingly, it is respectfully requested that the rejection of claims 1, 2, 11, 12, 22, and 23 under 35 U.S.C. § 102(b) as being anticipated by Okamori, be reconsidered and withdrawn.

35 U.S.C. § 103(a) Rejection

The rejection of claim 21 under 35 U.S.C. § 103(a) as being unpatentable over Okamori in view of Baba, is respectfully traversed based on the following.

Claim 21 depends from claim 11. As shown above, Okamori fails to disclose or suggest each limitation of claim 11. Furthermore, the combination of Okamori and Baba fails to disclose or suggest each limitation of claim 1. Baba, like Okamori, fails to disclose or suggest a reflection optical system in which all elements having optical power are reflective surfaces. Thus, the combination of Okamori and Baba fails to disclose or suggest at least one limitation of claim 11, and therefore cannot render obvious the invention of claim 11. As claim 21 depends from nonobvious claim 11, claim 21 is nonobvious for at least the same reason.

The Office Action, in the first paragraph of section 4 on page 3 combines Okamori and Baba. However, the third paragraph of section 4 cites Sunaga, U.S. Patent No. 6,626,541. A review of Sunaga shows it too fails to disclose or suggest a reflection optical system in which all elements having optical power are reflective surfaces. Thus, the

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combination of Okamori and Sunaga fails to disclose or suggest at least one limitation of claim 11, and therefore cannot render obvious the invention of claim 11. As claim 21 depends from nonobvious claim 11, claim 21 is nonobvious for at least the same reason.

Accordingly, it is respectfully requested that the rejection of claim 21 under 35 U.S.C. § 103(a) as being unpatentable over Okamori in view of Baba (or Sunaga), be reconsidered and withdrawn.

CONCLUSION

In view of the foregoing, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are respectfully requested.

This Amendment increases the number of independent claims by 2 from 3 to 5 (3 claims previously paid for) and increases the total number of claims by 2 from 23 to 25, but does not present any multiple dependency claims. Accordingly, a Response Transmittal and Fee Authorization form authorizing the amount of \$500.00 to be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260 is enclosed herewith in duplicate. However, if the Response Transmittal and Fee Authorization form is missing, insufficient, or otherwise inadequate, or if a fee, other than the issue fee, is required during the pendency of this application, please charge such fee to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.

Any fee required by this document other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

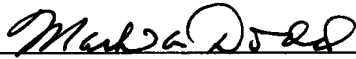
If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be

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construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

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